



OFFICE OF THE NATIONAL COMMANDER
NATIONAL HEADQUARTERS
CIVIL AIR PATROL
UNITED STATES AIR FORCE AUXILIARY
MAXWELL AIR FORCE BASE, ALABAMA 36112-6332

21 January 2005

MEMORANDUM FOR WING AND REGION COMMANDERS

FROM: CAP/CC

SUBJECT: Homeland Security Missions and Mission Approval Process

Reference: HQ CAP-USAF/CC and CAP/CC Memorandum, 9 Jun 04

This letter supersedes my letter dated 16 Dec 2004. Major changes were made to paragraph 2d and 2e of my original letter.

1. Our country is actively engaged in a war against terror and I know that we all share the same desire to use our CAP resources in missions that will strengthen homeland security and contribute to the safety and well being of our fellow citizens. In the past few months, we have entered a more integrated relationship with the Air Force as we perform missions as the Air Force Auxiliary. This closer relationship is a welcomed acknowledgement of CAP's mission capabilities; it also has brought a closer level of oversight and a more thorough review of mission requests for Air Force assigned mission (AFAM) status. This requires us to understand the rules so that we can use the mission approval system more effectively. I have asked the NOC to briefly identify the most commonly misunderstood aspects of the mission approval process so that we can increase our effectiveness. This Memorandum is primarily to provide explanations which should be helpful to you in performing Homeland Security missions.

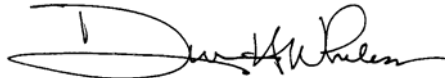
2. This is a short list and will not obviously address every problem area but it is a good starting point for your consideration.

- a. All CONUS CAP missions to be flown with AFAM status must be approved by either the AF Rescue Coordination Center (AFRCC), the AF National Security Emergency Preparedness agency (AFNSEP), 1st AF or CAP-USAF. See these acronyms:
 - i. AFRCC - Search and Rescue requests
 - ii. AFNSEP – Disaster Response requests
 - iii. 1st AF and CAP-USAF – All other requests
- b. All CAP missions for Federal Agencies or the Department of Defense must be approved as AFAMs or not flown. Corporate mission status cannot be used if AFAM is denied for these missions.
- c. AFAM-status for State or local agency mission requests may indeed be requested as AFAMs but require an extended approval time and additional justification to get Pentagon concurrence for CAP-USAF to issue mission approval.
 - i. Extended approval time – estimated two weeks

- ii. Requires additional justification – requested mission scenario must develop skills that would be required to support a lead federal agency in an actual contingency
- d. Missions for State or local agencies not approved as AFAMs may be approved as either C14 or C18 (dependent upon the purpose) corporate missions. The customer's request should be submitted to the NOC for coordination. The NOC will review all of the rules governing the use of CAP assets and provide notification to 1st AF if necessary. The NOC will then forward the coordinated request with a recommendation to the respective Wing/CC for his or her approval/disapproval. In the absence of the commander, the NOC will contact the Wing/CV, Region/CC or the National/CC based on the urgency of the request.
 - i. All other corporate missions (except for C14 or C18) do not have to be coordinated through the NOC and will be approved by the Wing, Region or National Commander (or their designees) in accordance with the attached Flight Mission Authorization & Coverage Summary Matrix dated 21 Jan 2005.
- e. Non-emergency requests for AFAMs and corporate missions to support state and local agencies (C14 and C18) should be in writing (email, fax, letter) and submitted by the customer to the NOC. Emergency requests may initially be submitted verbally to the NOC but must be followed-up in writing.
 - i. Verbal requests for emergency assistance typically are routed through the AFRCC or AFNSEP. In some circumstances (difficulty contacting the AF agency, etc.), the NOC may be able to coordinate an alternate emergency response such as an A911 or C911 mission (see attached mission matrix). Please note that 911T missions have been eliminated.
- f. Aerial reconnaissance for Man Portable Air Defense (MANPAD) missions:
 - i. If the intelligence scenario for a CAP reconnaissance mission includes the potentially real threat of shoulder launched anti-aircraft missiles, that mission is not regarded as a non-combat mission by CAP-USAF and, by legal definition, could not be approved as an AFAM. CAP's corporate insurance policy indicates that personal injury claims resulting from a corporate mission flown under the same profile would probably be denied as being the result of an act of war, and common sense would dictate that no such mission should be undertaken.
 - ii. If the request is to provide aerial imagery, or to fly an expert observer, over the approach and departure corridors of an airport to determine potential sites that terrorists armed with MANPADs might choose, that mission could be approved. The critical factor allowing the approval would be the absence of an actual ground to air weapon threat in the mission scenario. Approval as an AFAM or corporate mission, as discussed above, would depend on the agency requesting the mission, the justification provided and time allowed for the NOC to work the approval.
- g. Posse Comitatus restrictions for CAP, when acting as the AF Auxiliary, are exactly the same as those restrictions for the AF. Simplistically, CAP cannot perform active law enforcement. CAP can provide some assistance to law enforcement agencies (LEA) and, typically, the LEA requests are for either visual or communication support from a CAP aircraft.

- i. Visual reconnaissance of an area to allow the LEA to determine the ingress and egress routes for a planned raid that would minimize the risk to the general public and allow the LEA to view area obstructions that would not otherwise be seen is generally allowable.
- ii. Visual observations of a single targeted building for almost any reason (to determine best entry point, observe criminal activity, etc) is almost always considered surveillance and part of active law enforcement and not allowed.
- iii. An aircraft orbiting away from the area that the LEA activity (usually a raid) is taking place that has a law enforcement crewmember on board who will act as a communications relay for the LEA teams is usually approved. The rationale is that the obvious role of the CAP aircraft and crew is to provide only a communications relay platform.
- iv. An aircraft orbiting overhead, or near, an LEA activity with an LEA agent on board providing real time directions based on what is seen from the aircraft would be determined to be an active part of the LEA operation and the request for AFAM status would be denied.

3. Remember that the NOC is available to assist us in getting AFAM status as much as possible for the missions we need to perform for America. If there are questions on how best to approach a customer's request, call the NOC and ask. They deal with this every day and one of their purposes is to advise and assist our field units. They cannot change the rules but sometimes they may see a way to address a problem that is not known to us.



DWIGHT H. WHELESS
Major General, CAP
Commander

Attachment:
Flight Mission Authorization & Coverage Summary Matrix

cc:
HQ CAP/CV/CS/EX/XP/DO/GC/IG/NOC
CAP-USAF/CC/CV/XO/IG/JA
HQ AF/XOS-HA
CAP-USAF LR/CC
CAP-USAF State Directors

FLIGHT MISSION AUTHORIZATION & COVERAGE SUMMARY MATRIX, 21 Jan 2005

Mission Symbol (NOTE 1)	Mission Description	AFAM or CORP	Approval Process	Liability Coverage	Benefits Available
A1	AFRCC SAR missions	AFAM	AFRCC	FTCA	FECA
A2	AFNSEP missions (NOTE 2)	AFAM	AFNSEP	FTCA	FECA
A3	Counterdrug Actual missions	AFAM	NOC for CAP-USAF App	FTCA	FECA
A4	Counterdrug Training missions	AFAM	NOC for CAP-USAF App	FTCA	FECA
A5	SAR/DR training/evaluation missions/CAPR 123-3 inspections (NOTE 3)	AFAM	CAP-USAF/LR Form 10	FTCA	FECA
A6	AFROTC orientation flights including flights to and from the orientation site	AFAM	CAP-USAF/SD	FTCA	FECA
A7	CAPFs 5 & 91 evaluation and <i>National Check Pilot Standardization Course</i> and flight clinics (NOTE 4)	AFAM	CAP-USAF/LR Form 10	FTCA	FECA
A18	Homeland Security Missions	AFAM	NOC for CAP-USAF App	FTCA	FECA
A99	Missions specifically approved by the Air Force (e.g., low-level survey, courier, etc.)	AFAM	NOC for CAP-USAF App	FTCA	FECA
A911	Missions requiring prompt action to save lives, prevent human suffering or to mitigate great property damage. Funded by Customer or CAP appropriated mission budget.	AFAM	NOC for CAP-USAF App	FTCA	FECA
B9	Red Cross missions	AFAM	NOC for CAP-USAF App	FTCA	FECA
B10	FEMA Missions	AFAM	NOC for CAP-USAF App	FTCA	FECA
B11	NOAA & NWS Missions	AFAM	NOC for CAP-USAF App	FTCA	FECA
B12	Mission pilot proficiency flights IAW CAPR 60-1, Attachments 9-1, 9-2, 9-3, 9-4, 9-6 and SAR/DR training IAW CAPR 60-3	AFAM	CAP-USAF/SD	FTCA	FECA
B13	Support to federal or national relief agencies with an Air Force approved MOU	AFAM	NOC for CAP-USAF App	FTCA	FECA
B14	Support to state, county and local agencies when approved by AF/XOS-HA	AFAM	NOC for AF/XOS-HA App	FTCA	FECA
B17	Non-reimbursed CAPFs 5 & 91 evals, NCPSC flights, and flight clinics flown under an AF mission number	AFAM	CAP-USAF/SD	FTCA	FECA
B18	Homeland Security Missions	AFAM	NOC for CAP-USAF App	FTCA	FECA
B99	Other missions specifically approved by the USAF (e.g., media, public official, etc)	AFAM	NOC for CAP-USAF App	FTCA	FECA
C8	Air transport to/from squadron or higher official conferences or meetings	CORP	CC at WG/RG/Nat'l	CAP Insur	CAP
C9	Maintenance flights (includes flights in support of aircraft delivery and pickup)	CORP	CC at WG/RG/Nat'l	CAP Insur	CAP
C14	Support to state, county and local agencies not approved as an AFAM	CORP	NOC for WG/RG CC App	CAP Insur	CAP
C15	Cadet orientation flights IAW the cadet orientation flight program syllabus.	CORP	CC at WG/RG/Nat'l	CAP Insur	CAP
C16	Cadet flights: training, flight encampments/academies, cadet encampments, IACE	CORP	CC at WG/RG/Nat'l	CAP Insur	CAP
C17	Proficiency, CAPF 5, flight clinics and training flights not designated as an USAF assigned mission	CORP	CC at WG/RG/Nat'l	CAP Insur	CAP
C18	Homeland Security Missions	CORP	NOC for WG/RG CC App	CAP Insur	CAP
C19	Orientation flights for CAP Aerospace Education Members	CORP	CC at WG/RG/Nat'l	CAP Insur	CAP
C20	Glider tow flights (includes ferry flights)	CORP	CC at WG/RG/Nat'l	CAP Insur	CAP
C99	Other missions specifically approved by the National/region/wing commander	CORP	CC at WG/RG/Nat'l	CAP Insur	CAP
C911	Missions requiring prompt action to save lives, prevent human suffering or to mitigate great property damage. Funded by Customer or CAP Wing's corporate (non-appropriated) budget	CORP	CC at WG/RG/Nat'l	CAP Insur	CAP
L1	USAF Liaison personnel flying	AFM	CAP-USAF	FTCA	USAF

NOTE 1: The mission symbol has two parts:

The letter designates status. A & B = Air Force assigned mission (AFAM) and C= Corporate mission. The number designates the task to be performed. Missions for federal or national agencies, or the military, must be AFAM. Corporate missions may only be used to support agencies below the federal level.

NOTE 2: Does not include FEMA (B10) missions, Red Cross (B9) missions, or support to other federal or national relief agencies with an Air Force approved MOU (B13).

NOTE 3: CAPR 123-3 inspections are only authorized as an A5 mission if pre-approved on a CAPF 10 in advance by the CAP-USAF Liaison Region.

NOTE 4: Flight Clinic requests are submitted through the SD and CAP-USAF/LR via CAPF 10 to the NOC. The NOC will issue mission numbers for Flight Clinics.

SUMMARY AND COMMENTS:

a. Terms

AFAM: Air Force assigned mission

AFM: Air Force mission

AFRCC: Air Force Rescue Coordination Center

AFNSEP: Air Force National Security Emergency Preparedness

App: Approval

CAP Benefits: See CAPR 900-5 Section E

CAP-USAF/LR: CAP-USAF Liaison Region

CAP-USAF/SD: CAP-USAF State Director

Corp: Corporate mission, any mission not assigned by Air Force.

FECA: Federal Employees Compensation Act. This is comparable to workers compensation. See 5 USC §8141 and CAPR 900-5 Section D.

CC at WG/RG/Nat'l: A commander who is a corporate officer may authorize a CAP flight. These commanders may delegate their authority to a limited number of other wing/region leaders. Delegates may not further delegate their authority. Corporate officers must act very judiciously when they delegate corporate mission approval authority. Approving corporate missions carries with it a very serious responsibility to weigh the risks associated with conducting each mission. These decisions directly affect CAP's corporate insurance policy premiums. Minimizing risks through prudent decision-making will ensure CAP is able to continue to perform corporate missions in the future.

FTCA: Federal Tort Claims Act. See CAPR 900-5 Section C.

CAP Insurance: Liability insurance purchased by Civil Air Patrol to cover CAP and its members. See CAPR 900-5 Sections A & B.

NOC: CAP's National Operations Center

b. "Air Force Assigned Missions" now includes ONLY those missions individually and expressly assigned by the Air Force directly (AFRCC, AFNSEP, or CAP-USAF through the NOC) as required by law (See 5 USC §8141 and 32 CFR §§842.138) in order to qualify for FECA/FTCA.